

Merchant & Gould

An Intellectual Property Law Firm

Merchant & Gould P.C.
3200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402-2215**RECEIVED
CENTRAL FAX CENTER**

A Professional Corporation

Fax Transmission | November 8, 2005**NOV 08 2005**

TO:

Examiner: G. Nickol Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	FROM: Katherine M. Kowalchuk OUR REF: 11669.213USU1 TELEPHONE: 612.371.5311
--	--

Total pages, including cover letter: 2**PTO FAX NUMBER** 1-571-273-8300

If you do NOT receive all of the pages, please telephone us at 612.332.5300, or fax us at 612.332.9081.

Title of Document Transmitted: Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences

Applicant: Mehraban et al.
Serial No.: 09/703,350
Filed: October 31, 2000
Group Art Unit: 1642
Our Ref. No.: 11669.213USU1
Confirmation No.: 3065

**RECEIVED
OIPE/IAP****NOV 09 2005**

Please charge Deposit Account No. 13-2725 in the amount of \$500.00 for Notice of Appeal Fee. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Katherine Kowalchuk
Name: Katherine M. Kowalchuk
Reg. No.: 36,848

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Kristine A. Wacek

Kristine A. Wacek
Signature

November 8, 2005
Date

GEN033.DOT

S/N 09/703,350

NOV 08 2005

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MEHRABAN ET AL. Examiner: G. NICKOL
Serial No.: 09/703,350 Group Art Unit: 1642
Filed: OCTOBER 31, 2000 Docket No.: 11669.213USU1
Title: DIFFERENTIALLY EXPRESSED GENES INVOLVED IN
ANGIOGENESIS, THE POLYPEPTIDES ENCODED THEREBY, AND
METHODS OF USING THE SAME

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on November 8, 2005.

By: 

Name: Kristine A. Wacek

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

In accordance with 37 C.F.R. § 40.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 56 and 69-76 of the above-identified application, as set forth in the Office Action mailed August 10, 2005.

Please charge Deposit Account No. 13-2725 in the amount of \$500.00 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b)(1).

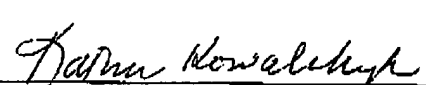
Please charge any additional fees or credit any overpayment to Merchant & Gould P.C., Deposit Account No. 13-2725.

Respectfully submitted,

11/09/2005 SFELEKE1 00000003 132725 09703350
01 FC:1401 500.00 DA

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: November 8, 2005


Katherine M. Kowalchuk
Reg. No. 36,848
KMK:PLSkaw